

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

<b>UNITED STATES OF AMERICA</b>	*	<b>CRIMINAL NO. 2:23-cr-00023</b>
<b>VS.</b>	*	<b>JUDGE JAMES D. CAIN, JR.</b>
<b>KIRK AUGUST</b>	*	<b>MAGISTRATE JUDGE KAY</b>

**ORDER**

In accordance with the requirements of Rule 5 of the Federal Rules of Criminal Procedure, as amended October 21, 2020, and in addition to the requirements imposed by the court's Pretrial Criminal Scheduling Order, it is

**ORDERED** that the government be and it is hereby reminded of its disclosure obligations under *Brady v Maryland*, 373 U.S. 83 (1963), and its progeny. Failure of the government to abide by this order and to properly disclose *Brady* material to the defendant shall carry consequences. Consequences of violation of this order and the duty to disclose as mandated by *Brady* will be commiserate with the scope and severity of the violation and can include exclusion of evidence at trial, a finding of contempt with possible disciplinary action against the prosecutor, dismissal of an indictment with prejudice, or even a declaration that a conviction was obtained invalidly.

THUS DONE AND SIGNED in Chambers this 17<sup>th</sup> day of March, 2023.

  
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KATHLEEN KAY  
UNITED STATES MAGISTRATE JUDGE